

REMARKS

Minor editorial corrections have been made to the specification. Claims 1 - 2, 5 - 6, and 8 - 16 have been amended. Claim 17 has been added. No new matter has been introduced with these corrections, amendments, or added claim, all of which are supported in the specification as originally filed. Claims 1 - 17 are now in the application.

I. Rejection Under 35 U.S.C. §101

Page 2 of the Office Action dated February 11, 2004 (hereinafter, "the Office Action") states that Claims 1 - 10 are directed to non-statutory subject matter, making reference to 35 U.S.C. §101. This rejection is respectfully traversed.

Independent Claim 1 has been amended herein to clarify that steps are performed "programmatically". Applicants believe the claim language, as amended, addresses the Examiner's concerns. The Examiner is therefore respectfully requested to withdraw the §101 rejection of Claims 1 - 10.

II. Rejection Under 35 U.S.C. §103(a)

Page 3 of the Office Action states that Claims 1, 5, 9, 11 - 12, and 14 - 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent Publication 2001/00540008A1 to Miller in view of U. S. Patent 6,415,291 to Bouve. Page 5 of the Office Action states that Claims 2 - 4, 6 - 8, 10, 13, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Miller and Bouve in view of U. S. Patent 6,386,450 to Ogasawara.

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These rejections are respectfully traversed.

Applicants have amended their independent Claims 1, 11, and 14 herein to more clearly specify that the shopping list pertains to items available from "a plurality of" merchants and can be used by the user "to travel among the locations of at least two selected ones" of these merchants.

Applicants find no teaching in Miller, Bouve, or Ogasawara of determining a path for travelling among locations of multiple merchants, as claimed in Applicants' independent claims (as amended herein). These references will now be discussed.

Paragraphs 0012 and 0180 of Miller, for example, refer to locating "a" vendor.

Paragraphs 0011 and 0179 discuss a plurality of vendors, but there is no discussion of selecting multiple ones of these vendors or computing a shopping path among them. Paragraph 0151 discusses listing vendors in the user's neighborhood, based on geographic location, and paragraph 0156 discusses generating a shopping list, but again there is no discussion or any suggestion that multiple vendors are selected and that a path is computed for travelling among them. Paragraphs 0165 and 0172 discuss selecting a (single) vendor, and paragraph 0173 discusses maps and/or directions to the vendor's location(s). Paragraph 0183 discusses the user purchasing "while on the go". However, none of these references teach computing a path between multiple locations, as in Applicants' claimed invention.

Col. 2, lines 50 - 56 of Bouve discuss a map to items of interest, as well as a location of

the user and "a" destination location. Col. 5, lines 40 - 42 discuss a user's ability to walk or drive to items of interest. However, again this reference does not teach computing a path among multiple merchants.

Col. 2, line 61 - col. 3, line 19 of Ogasawara discusses determining direction and distance within a single store. Col. 3, lines 55 - 59 are similar. Col. 4, lines 43 - 48 discuss a shopper using the "personal shopping mobile terminal" within a store, where it is affixed to a shopping cart. Col. 6, lines 1 - 15 discuss using the mobile terminal within a retail facility, and state that "... the mobile personal shopping terminal 5 will always be capable of communicating with a retail facility's core server, regardless of the location of a shopper using the terminal and regardless of the size of the retail facility.". By contrast, Applicants' invention is directed toward travelling among the locations of multiple merchants. Col. 9, lines 20 - 49 discuss determining the location of an item on a shopping list with reference to a shopper's current location. However, this is distinct from computing a path among multiple merchant locations. Col. 9, line 50 - col. 10, line 29 discuss an ability to convert a user's handwritten shopping list into a machine-readable format such as text, which can be transferred to the mobile shopping terminal or to the core server of the retail facility. However, there is no discussion therein of using this list to compute a path, and in particular, a path is not computed among multiple merchant locations as in Applicants' claimed invention.

Applicants therefore respectfully submit that independent Claims 1, 11, and 14, as amended herein, are patentable over the references. Dependent Claims 2 - 10, 12 - 13, and 15 -

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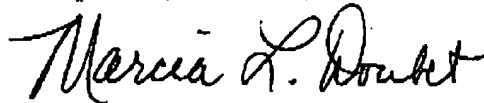
16 (as well as added Claim 17) are therefore deemed patentable over the references as well.

Accordingly, Applicants respectfully request that the Examiner withdraw the §103 rejection of all claims.

III. Conclusion

Applicants respectfully request reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all remaining claims at an early date.

Respectfully submitted,



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